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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/920,925	08/02/2001	Akira Nagakura	10998-016001	7162

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EXAMINER

SEMBER, THOMAS M

ART UNIT PAPER NUMBER

2875

DATE MAILED: 02/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/920,925

Applicant(s)
Nagakura

Examiner
Thomas Sember

Art Unit
2875



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Aug 2, 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 3 6) ☐ Other:

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Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 U.S.C. § 112

2. Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

1.) In claim 1, line 5 "a lower" and in line 7 "an upper" is vague and indefinite because it is not clear what direction lower or upper is? For example, lower or upper relative to what?

2.) In claim 1, line 6 "an upper" is vague and indefinite because it is not clear what direction upper is? For example, "upper" relative to what?

Claim Rejections - 35 U.S.C. § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Morimoto-(JP 04075444A). Morimoto-(JP 04075444A) discloses a back cover 10 which includes a cord insertion hole 24 for inserting a power cord, and a cylindrical outer wall 11 surrounding the cord insertion hole constructed to enable the power supply cord to be fixed and integrated by resin mold within the outer wall. A resin mold portion is formed from the lower mold layer on the cord insertion hole side that adheres well to the back cover 10; and an upper mold layer 33 is poured in the insertion hole 24 and laminated over the lower mold layer 30 which has good heat resistance characteristics.

Claim Rejections - 35 U.S.C. § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Machida et al ('303) (figure 5). Machida et al ('303) discloses a back cover 15 for a lamp body that includes a cord insertion hole 24a for inserting a power cord for supplying

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current to a light source bulb 18, and a cylindrical outer wall surrounding the cord insertion hole constructed to enable the power supply cord to be fixed and integrated by resin mold within the outer wall. A resin mold portion is formed from the lower mold layer on the cord insertion hole side that adheres well to the back cover 15; and an upper mold layer 24a laminated over the lower mold layer 26 which has good heat resistance characteristics. Regarding the recitations of how the lamp body is made. These recitations are "product-by-process" claims, and the structure of Machida et al meets the claim limitations because the end product is the same.

Claim Rejections - 35 U.S.C. § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morimoto-(JP 04075444A) or Machida et al ('303) in view of Matsui et al. Morimoto-(JP 04075444A) or Machida et al ('303) discloses the claimed invention except for the material that is used for the upper and lower moldings and the amount of material

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being used. Matsui et al teaches it is well known to use applicant's claimed material's. It would have been obvious to one skilled in the art at the time the invention was made to modify the use various materials for the upper and lower molding of Morimoto-(JP 04075444A) or Machida et al ('303) in order to a more efficient seal. Regarding claim 3, the ratio of materials would have been a mere engineering design choice.

Claim Rejections - 35 U.S.C. § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morimoto-(JP 04075444A) or Machida et al ('303). Morimoto-(JP 04075444A) or Machida et al ('303) discloses the claimed invention except for the polyethylene coating used on the power cord. It would have been an obvious engineering design to modify the power cord of Morimoto-(JP 04075444A) or Machida et al ('303) to include the polyethylene resin in order to protect the power cord.

Prior Art

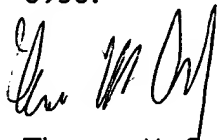
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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Matsumura et al, Machida ('179) and Machida ('051) all disclose lamp assemblies which are similar to applicant's invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas M.Sember whose telephone number is (703) 308-1938. The examiner can normally be reached on Monday - Thursday from 8:00 AM - 5:00 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea, can be reached at (703)-305-4939. The fax phone number for this group are (703) 872-9318 for regular communications and (703)-872-9319 for after-final communications.

Any inquiries of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 305-0956.



Thomas M. Sember

Primary Examiner

February 20, 2003